

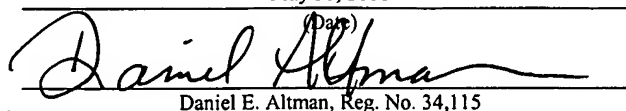
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| <b>Response to Missing Requirements Under 35 USC § 371</b> | Attorney Docket No.: DAVI257.001APC<br>First Named Inventor: Georgina Jane Clark, et al.<br>Int'l Application No.: PCT/AU03/001586<br>US Application No.: 10/536,677<br>Entered National Phase: May 27, 2005<br>Title: THERAPEUTIC AND DIAGNOSTIC AGENTS |
|  | Date: May 30, 2006<br>Page 1 of 2  |
| <b>Direct all correspondence to Customer No.: 20995</b>    |  |

**Mail Stop PCT**

United States Patent and Trademark Office  
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I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

May 30, 2006

  
 Daniel E. Altman, Reg. No. 34,115

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated November 30, 2005.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 2 pages.
- (X) Power of attorney form and copy of assignment in 4 pages.
- (X) Sequence Listing in 29 pages.
- (X) Disk containing sequence listing.
- (X) Sequence Submission Statement.
- (X) Return prepaid postcard.

**FILING FEES NOT YET PAID:**

| FEE CALCULATION   |                     |                |                      |               |
|-------------------|---------------------|----------------|----------------------|---------------|
| FEE TYPE          |                     | LARGE FEE      | CALCULATION          | TOTAL         |
| Late Oath/Decl.   | 37 CFR § 1.492(h)   | 1617 (\$130)   |                      | \$130         |
| Excess Claims     | 30 - 29 = 1         | 1615 (\$50)    | 1 x 50 =             | \$ 50         |
| Multiple Claim    | 37 CFR § 1.492(f)   | 1616 (\$360)   |                      | \$360         |
| 4 Month Extension | 37 CFR § 1.17(a)(4) | 1254 (\$1,590) |                      | \$1590*       |
|                   |                     |                | <b>TOTAL FEE DUE</b> | <b>\$2130</b> |

(X) A check in the amount of \$2130 is enclosed to cover the above fees.

06/08/2006 GFREY1 00000058 10536677

|            |            |
|------------|------------|
| 01 FC:1617 | 130.00 OP  |
| 02 FC:1615 | 50.00 OP   |
| 03 FC:1616 | 360.00 OP  |
| 04 FC:1254 | 1590.00 OP |

**Response to Missing  
Requirements Under  
35 USC § 371**

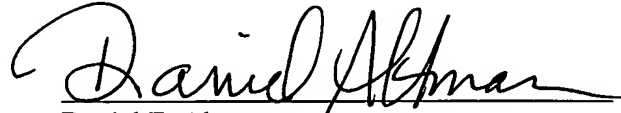
Attorney Docket No.: DAV1257.001APC  
First Named Inventor: Georgina Jane Clark, et al.  
Int'l Application No.: PCT/AU03/001586  
US Application No.: 10/536,677  
Entered National Phase: May 27, 2005  
Title: THERAPEUTIC AND DIAGNOSTIC AGENTS

**Direct all correspondence to Customer No.: 20995**

Date: May 30, 2006

Page 2 of 2

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.



Daniel E. Altman  
Registration No. 34,115  
Attorney of Record  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

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|   |  |                                    |
|---|--|------------------------------------|
| U.S. APPLICATION NUMBER NO.<br>10/536,677 | FIRST NAMED APPLICANT<br>Georgina Jane Clark | ATTY. DOCKET NO.<br>DAVI257.001APC |
|---|--|------------------------------------|

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|---|
| INTERNATIONAL APPLICATION NO.<br>PCT/AU03/01586 |
|---|

|                                |                             |
|--------------------------------|-----------------------------|
| I.A. FILING DATE<br>11/28/2003 | PRIORITY DATE<br>11/29/2002 |
|--------------------------------|-----------------------------|

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IRVINE, CA 92614



CONFIRMATION NO. 3961

371 FORMALITIES LETTER



\*OC000000017510076\*

Date Mailed: 11/30/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/27/2005
- Copy of the International Search Report filed on 05/27/2005
- Copy of IPE Report filed on 05/27/2005
- Preliminary Amendments filed on 05/27/2005
- Biochemical Sequence Listing filed on 05/27/2005
- U.S. Basic National Fees filed on 05/27/2005
- Priority Documents filed on 05/27/2005
- Specification filed on 05/27/2005
- Claims filed on 05/27/2005
- Abstracts filed on 05/27/2005
- Drawings filed on 05/27/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$410 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

Knobbe, Martens, Olson & Bear LLP

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or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$540 for a Large Entity:

- **\$130 Surcharge.**

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- Total additional claim fee(s) for this application is \$ 410

- \$50 for 10 total claims over 20.
- \$360 for multiple dependent claim surcharge.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/536,677                  | PCT/AU03/01586                | DAVI257.001APC   |

FORM PCT/DO/EO/905 (371 Formalities Notice)